



DEPARTMENT OF VETERANS AFFAIRS
Washington DC 20420

October 30, 2019

In Reply Refer To: 001B
FOIA Request: 19-11313-F

Austin R. Evers
Executive Director
American Oversight
1030 15th Street NW, Suite B255
Washington, DC 20005
Foia@americanoversight.org

This is the Initial Agency Decision (IAD) from the Office of the Secretary, U.S. Dept. Veterans Affairs (OSVA) to your Freedom of Information Act (FOIA) request received and dated September 4, 2019, and assigned FOIA tracking number **19-11313-F**. You requested:

"All email communications (including email messages, email attachments, calendar invitations, and calendar invitation attachments) between (1) the specified VA officials and employees and (2) specified external individuals, listed below:

VA officials and employees:

- a. Robert Wilkie, Secretary of Veterans Affairs, and anyone serving as his assistant or scheduler;
- b. Peter O'Rourke, Former Acting Secretary, Chief of Staff, and Senior Advisor;
- c. Pamela J. Powers, Chief of Staff;
- d. Casin Spero, Executive Director of the COVER Commission and Senior Advisor;
- e. James E. Hutton, former Deputy Assistant Secretary for Public Affairs and current Assistant Secretary for Public and Intergovernmental Affairs;
- f. John Ulyot, former Assistant Secretary for Public and Intergovernmental Affairs;
- g. Richard A. Stone, Executive in Charge, Veterans Health Administration;
- h. Steven L. Lieberman, Acting Principal Deputy Under Secretary for Health;
- i. Lawrence Connell, Chief of Staff, Veterans Health Administration;
- j. Jon M. Jenson, Acting Deputy Chief of Staff;
- k. Valerie Mattison Brown, Assistant Deputy Under Secretary for Health, Policy and Planning;
- l. Harold Judler, former Acting Assistant Deputy Under Secretary for Health for Patient Care Services (PCS);
- m. Maria Llorente, Acting Assistant Deputy Under Secretary for Health for Patient Care Services (PCS);
- n. Michael A. Valentino, Chief Consultant – Pharmacy Benefit Management Services (PBM), and anyone serving as his assistant or scheduler;
- o. Matthew A. Fuller, National Clinical Pharmacy Program Manager, PBM
- p. David Carroll, Executive Director, Office of Mental Health and Suicide Prevention;
- q. Anyone serving in the capacity of White House Liaison or Advisor.

External individuals:

- i. Isaac "Ike" Perlmutter (including but not limited to the email address ip@frenchangel59.com);
- ii. Marisol Garcia, or anyone else acting as an assistant or scheduler for Mr. Perlmutter;
- iii. Anyone communicating from an email address ending in @frenchangel59.com;
- iv. Marc Sherman (including but not limited to the email address mbsherman@gmail.com);
- v. Anyone acting as an assistant or scheduler for Mr. Sherman;
- vi. Bruce Moskowitz (including but not limited to the email address brucemoskowitzmd@mac.com);
- vii. Anyone acting as an assistant or scheduler for Dr. Moskowitz, including anyone acting as his Patient Care Coordinator or with the phone number 561-833-6116 in their email signature block (appropriate search terms for identifying such records may include "561-833-6116" and documents containing both the terms "patient care coordinator" and "Moskowitz.")

Please provide all responsive records from September 4, 2018, to the date of the search."

As a reminder, the VHA and OPIA FOIA offices will respond to you separately for VHA or OPIA records located within their respective FOIA offices. OSVA is responding for responsive records located within OSVA.

IAD and Reasonable Searches Dated 9/12/19 & 10/30/19

On September 12, 2019, our search cut-off date, the OSVA FOIA Officer requested that the VA OIT office provide all responsive records, if any, with date timeframe of September 1, 2018, to August 13, 2019 within the email boxes and calendar entries of: 1) Robert Wilkie, 2) Peter O'Rourke, 3) Pam Powers, 4) Casin Spero, and 5) Executive Assistant for both Robert Wilkie and Peter O'Rourke. On September 20, 2019, the VA OIT office provided preliminary results.

On October 30, 2019, the OSVA FOIA Officer conducted a second, follow-up search with date timeframe of September 1, 2018, to September 12, 2019 within the email boxes and calendar entries of: 1) Robert Wilkie, 2) Peter O'Rourke, 3) Pam Powers, 4) Casin Spero, and 5) Executive Assistant for both Robert Wilkie and Peter O'Rourke.

The OSVA FOIA Officer looked for any emails or calendar entries to, from, or copying: 1) ip@frenchangel59.com, 2) Marisol Garcia's email address ending in @frenchangel59.com, 3) any email addresses ending in @frenchangel59.com, 4) mbsherman@gmail.com, 5) Marc Sherman's other email address ending in @gmail.com, 6) Marc Sherman's email address ending in @alvarezandmarsal.com, 7) brucemoskowitzmd@mac.com, 8) Bruce Moskowitz's email address ending in @gmail.com, 9) Bruce Moskowitz's email address ending in or @brefnet.org, and 10) Mr. Moskowitz's assistant, scheduler, and Patient Care Coordinator with email address ending in @gmail.com.

Despite these this reasonable search, the OSVA FOIA Officer found no responsive records. Thus, OSVA issues you a "no records" response.

FOIA Mediation

As part of the 2007 FOIA amendments, the Office of Government Information Services (OGIS) was created to offer mediation services to resolve disputes between FOIA requesters and Federal agencies as a non-exclusive alternative to litigation. Using OGIS services does not affect your right to pursue litigation. Under the provisions of the FOIA Improvement Act of 2016, the following contact information is provided to assist FOIA requesters in resolving disputes:

VA Central Office FOIA Public Liaison:

Name: John Buck

Email Address: vacofoiaservice@va.gov

Office of Government Information Services (OGIS)

Email Address: ogis@nara.gov

Fax: 202-741-5769

Mailing address:

National Archives and Records Administration

8601 Adelphi Road

College Park, MD 20740-6001

FOIA Appeal

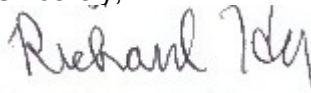
This concludes OSVA's Initial Agency Decision to request **19-11313-F**. Please be advised that should you desire to do so, you may appeal the determination made in this response to:

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Office of General Counsel (024)
Department of Veterans Affairs
810 Vermont Avenue, NW
Washington, DC 20420

If you should choose to file an appeal, please include a copy of this letter with your written appeal and clearly indicate the basis for your disagreement with the determination set forth in this response. Please be advised that in accordance with VA's implementing FOIA regulations at 38 C.F.R. § 1.559, your appeal must be postmarked no later than ninety (90) days of the date of this letter.

Sincerely,

A handwritten signature in dark ink, appearing to read "Richard Ha".

Richard Ha, JD, CIPP/G
OSVA FOIA Officer